

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TRUSTEES OF BOSTON COLLEGE,)	
)	
Plaintiff,)	
)	Cause No.: 4:24-cv-1523-HEA
vs.)	
)	
URSHAN UNIVERSITY, INC.,)	
)	JURY TRIAL DEMANDED
)	
Defendant.)	

DECLARATION OF VINCENT W. EBERSOLDT

Vincent W. Ebersoldt, of lawful age and sound mind, hereby certifies and confirms under penalty of perjury:

1. I am the founding principal of and President of Ebersoldt+Associates, LLC, a Missouri Limited Liability Company, DBA Ebersoldt + Associates Architecture (e+a).

2. I hold Bachelor of Architecture from Drury University (1993), and a Masters of Architecture from Washington University in St. Louis (1997).

3. I have been involved as the Architect, Historic Consultant, and/or Developer for more than 50 historic properties and am familiar with Historical properties and potential state and federal Historic Preservation tax credits available to a developer of Historical properties.

4. I have been engaged to provide Architectural and Historic Consulting Services related to the existing St. Stanislaus Property and directly pertaining to identifying the property's eligibility for placement on the National Register of Historic Places, its subsequent eligibility for state and federal Historic Preservation Tax Credits, the historical importance of the site and buildings not only locally to Hazelwood and the Jesuit Order, but nationally to the expansion of



the Jesuit Order throughout the Midwest, and the critical role the windows at the Chapel play in this history.

5. I and Ebersoldt + Associates Architecture has provided its own assessment of the 13 windows and takes no issue with the assessment provided by Emil Frei and Associates in court filings, with further comment on the following:

- a) Small individual panes of broken and missing glass potentially caused by vandalism are present,
- b) Deterioration of the paint finish to much of the painted glass panes is present,
- c) Bulging of the frames has occurred, which indicates preliminary signs of pending failure of the windows' structural frame is present,
- d) 100+ years of general wear and tear without proper maintenance is present,
- e) Ongoing risk of vandalism remains, and
- f) Ongoing risk of further deterioration due to weathering / freeze and thaw / moisture remains.

6. If and whether temporary or permanent removal of the windows takes place, the pertinent issues remain the same:

- a) Great care should be taken to ensure neither the windows nor the existing chapel structure are damaged.
- b) Ebersoldt + Associates Architecture has the following concerns regarding the integrity of removing the windows at this time:
 - There are details of the windows, such as how they connect to their frames, and how the frames connect to the masonry openings that

are critical to understand prior to any potential removal and are unknown at this time.

- To that end, supervised exploratory demolition would be required to ascertain the true scope of work and to coordinate methods for the appropriate safe removal of the windows prior to any work being performed.
- In court filings, there exists no clear and concise documented plan for the safe removal of the windows to prevent damage to the existing Chapel structure and to ensure proper handling of the windows.
 - o All potential work must be approved and supervised by Urshan University and its representatives.
 - o All potential work must be coordinated and supervised by both Ebersoldt + Associates Architecture and a construction firm on behalf of Urshan University.
 - o Inspection and approval by Urshan University and its representatives of the storage location proposed in court filings must be provided.

7. I have been involved in requesting A Save America's Treasures grant which, if granted, would provide a grant to Urshan University to board up and protect in place the 13 Windows at issue.

8. Attached as Exhibit 1 hereto is a December 20, 2024 letter from the Interim City Manager of the City of Hazelwood, Missouri supporting both placement of the Chapel on the

National Register of Historic Places and specifically noting the City's interest in all the buildings, including the Chapel: "Urshan College has a deep and rich history because of the past life as St. Stanislaus Seminary." The City also states that the City supports preserving the "vital stained glass windows" in the Chapel.

9. During several discussions with the City of Hazelwood, and specifically with the Code Enforcement Department, we have established the following understanding of the requirements for a permitted removal of the windows:

Temporary Removal Factors:

- The City of Hazelwood views a temporary removal of the windows only as a 'repair' thereby 'not necessarily requiring a permit.'
- However, with the high likelihood there is more to the scope of work of temporary removal of the windows than simply sliding them out, i.e. structural bracing of each opening, repairs to the surrounding masonry at the openings, repairs to the surrounding interior plaster finishes at the openings, thermal / moisture / security protection installed at the openings, the City will require a 'Commercial Renovation Permit.'

Permanent Removal Factors:

- If, however, the removal of the windows is permanent, the scope of work would be classified by the City of Hazelwood as a 'Level 2 Alteration and be subject to all requirements in Chapter 8 of the International Existing Building Code and require a Commercial Renovation Permit.'
- The understood requirements of a Level 2 Alteration therefore extend beyond simply removing windows and boarding up the openings.

10. Ultimately, in either a temporary or permanent removal scenario, and even though the complete understanding of the means and methods of the required scope of work remain unknown, it has been made clear for the issuance of a Commercial Renovation Permit to remove the windows either temporarily or permanently the City of Hazelwood expects code related assurances that a level of fire safety, life safety, means of egress, security, and other potential means of compliance will be required as part of that permit.

11. It is our estimation, based on current information from discussions with the City of Hazelwood, that this work may cost up to \$500,000.00 in total.

12. Ebersoldt + Associates Architecture has participated in multiple discussions with representatives from the Missouri State Historic Preservation Office (SHPO), the National Park Service (NPS), and in conjunction with representatives for the National Register of Historic Places (NRHP).

13. The discussions centered around the deep importance of the Jesuit history in St. Louis and the Midwest and therefore the local, regional, and national historical importance of the site and its buildings.

14. Since 1972, 2 of the 5 existing historic structures have been placed on the NRHP, with the other 3 only having not been nominated at the time as they were less than the required 50 years old.

- o Discussions with SHPO indicated a near certainty that in its current condition, the Chapel and its 2 residential wings would be eligible for placement on the NRHP.
- o As proof of their belief of the historical importance of the site and buildings, SHPO has discussed nominating the remaining unplaced buildings themselves in order to ensure their protection.

- Currently, Ebersoldt + Associates Architecture is providing Urshan University with Architectural Historic Consulting services to perform the necessary research to submit an application for placement on the NRHP, but has discussed with SHPO the potential to work together, or to turn the task over to them as a sign of the critical importance of saving this historically significant property.

15. Discussions with SHPO, NPS, and NRHP also centered around the importance of the 13 windows in question to the historical integrity of the property and subsequently to the eligibility of the Chapel and its 2 residential wings if the windows were removed.

- o Whereas until such time as a formal nomination for the Chapel and the 2 residential wings the 3 agencies cannot provide an official decision regarding placement on the NRHP and therefore eligibility for the entire campus to be saved via its ability to obtain state and federal Historic Tax Credits, it is clear that at a minimum the removal of the windows greatly compromises the possibility of placement on the NRHP and much more likely that it renders those 3 buildings ineligible as they would have lost their most defining architectural, historical, and identity oriented features.
- o If the Chapel and 2 residential wings are deemed ineligible for the NRHP due to the loss of the windows, and therefore ineligible to obtain state and federal Historic Tax Credits to provide financial assistance in restoring and renovating the historic structures, saving the existing buildings would be cost prohibitive and would almost certainly result in the buildings being demolished.

16. Insofar as Ebersoldt + Associates Architecture does not take issue with the condition assessment by Frei & Associates as put forth in court filings and per above, it is our opinion that due to the following factors our recommendation is that removal of the windows is an unnecessary risk to the Chapel and windows themselves:

- a) the deteriorated current conditions of the windows,
- b) the unknown physical and time impact on the existing Chapel, masonry and interior finishes around the openings upon removal of these windows,
- c) the unknown overall costs of removing the windows due to the underestimated complexities of the Commercial Building Permit and construction efforts required, and
- d) the potential risk to both the Chapel and the windows of moving the windows.

Our recommendation, therefore, is to leave the windows in place and to encapsulate and protect them from both the interior and exterior sides from any further physical damage by moisture, freeze/thaw, destructive action by trespassers, etc.:

17. Insofar as the risks posed to the likelihood of saving the property as a whole by removing the windows and compromising its eligibility for the National Register of Historic Places and subsequently for Historic Preservation Tax Credits is of far greater importance than merely protecting the 13 windows, we again underscore that our recommendation is to leave the windows in place per above protection recommendations and, at a minimum, until such time as the NRHP placement is complete.

18. Ultimately, the ability to save this important historic property is far too important to the Jesuit Order, the Religious History of the Midwest, the City of Hazelwood and its residents, Urshan University's ability to maintain the value of its property, and the buildings themselves to

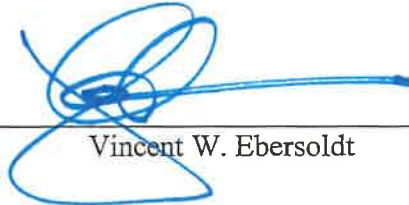
risk any of them by not only removing and storing the windows, but by virtually assuring that buildings will be lost as a result.

19. To determine that 13 Windows in the Chapel are more important than the historical, physical, spiritual and psychological impact of this site and the people who are connected to it is a grave mistake that should, at the very least be tabled until such time Urshan University can confirm the possibility of perpetuating the property's ongoing existence by placement on the NRHP, and preferably rejected as Boston College selfishly choosing 'collectibles' over the historic integrity of a far greater landmark that requires these windows to survive. As a Jesuit University, it certainly seems counterproductive to their own history.

I declare under penalty of perjury that the foregoing is true and correct.

01.09.2025

Executed Date



Vincent W. Ebersoldt



December 20, 2024

Vincent Ebersoldt
President
Ebersoldt & Associates
1214 Washington Avenue
St. Louis, MO 6310

Vincent

This letter is to demonstrate the City of Hazelwood's support for Urshan College to be placed on the National Register of Historic Places. In addition, we equally offer our support for the Save America's Treasures Grant.

Urshan College has a deep and rich history because of past life as St. Stanislaus Seminary. The impact on history and the significance of the buildings are of paramount interest to the city and the region.

With regards to the grant, while we fully support this effort, it must be noted that our support is conditional upon all historic structures, including and especially the vital stained glass windows, are kept on the property and maintained.

Please let me know if you need anything else in terms of support for this effort.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "David A. Leezer", written over a light blue horizontal line.

David A. Leezer, CEcD FM
Interim City Manager



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f: 314.839.0249
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f: 731.4240
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f: 731.1976
6800 Howdershell Road

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